

ARREST REPORT

Casselberry Police Department

Cmty: C

N.S.A: C3 GRID C3

For the Public: No

Juvenile: Yes

Agency ORI#: FL0590200

OBTS#: 5902232205

Weapon Seized: No

Weapon Type: OTHER

Arrest Location: 164 S WINTER PARK DR, CASSELBERRY, FL 32707

Offense Location: 164 S WINTER PARK DR, CASSELBERRY, FL 32707

Arrest Date/Time: 4/30/2014 13:20

Booked Date/Time: 4/30/2014 15:30

Jail Date/Time: 4/30/2014 15:45

Fingerprinted:

Jail#: 14-4944

Local#:

FDLE#:

DEFENDANT

Name: SHIREY, KEITH WILLIAM

Race: W

Sex: M

DOB: 8/21/1972

Or Age:

Height: 507 Weight:

Eyes: BRO

Hair: BRO

Alcohol Related: N

Drug Related: N

Court Translator: N

Language:

Local Address: 164 S WINTER PARK DR, CASSELBERRY, FL 32707

Phone: 7722376078

Residence: City

Next of Kin:

Relationship:

NOK Phone:

Religion: NONE GIVEN

Business Name: UNK

Business Address:

Job:

Business Phone:

DL#: [REDACTED] DL State: FL

SSN: [REDACTED]

Marital: M

Place of Birth:

GPS monitored: N Citizenship: United States of America

If not a U.S. citizen, contact embassy consulate

Alias Name(s):

MCF1427A

Person Identifier(s):

NONE NONE

Co-Defendant(s):

Name

Race

Sex

DOB

or Age

CHARGE(S)

Counts	Charge Description	Statute#	Ordinance	Attempt/Commit	Reason#	Type
1	CRUELTY TOWARD CHILD AGGRAVATED CHILD ABUSE - (NO BOND) - Domestic	827.03 2a	No	Commit		Probable Cause
	Drug Activity: N/A				Drug Qty:	0.00

P.C.	The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named defendant committed the following violation of law:		
	On the 30 of April, 2014 at 1:20 PM (Specifically include facts constituting cause for arrest.) BOND: 0000		
	P.C. Exists for Charge(s):	Judges's Signature:	Date:

On 04/25/2014 at 1439 hours Ofc. Mims responded to Altamonte Christian School for an alleged child abuse occurring at 164 South Winter Park Drive, in the City of Casselberry, Seminole County, FL.

Ofc. Mims met with the reporting person, off-duty Altamonte Springs Police Lieutenant Kevin Acosta. In a sworn statement and verbally, Lt. Acosta advised the following:

Lt. Acosta chaperoned a school field trip to the Orlando Science Center on 04/25/2014. He was asked by a teacher to check on the boys in the men's restroom. While inside the bathroom, he observed one of the boys, [REDACTED], standing at a urinal. Lt. Acosta observed large, discolored, bruises on his right thigh. He asked [REDACTED] how he received the bruises, and he stated, "My daddy spanked me." After lunch, the boys used the restroom, and Lt. Acosta supervised them while inside. Again, [REDACTED] used an open urinal. Lt. Acosta observed several circular bruises covering his buttocks on both sides. Lt. Acosta said it appeared [REDACTED] was attempting to conceal the bruises so the other boys did not notice. At that time, he notified the kindergarten teacher, Ms. Burden. Lt. Acosta also notified the on-duty Watch Commander for Altamonte Police Department, Lt. Riggs.

SPO Tracy Van Horn with Altamonte Springs Police Department was also on scene. SPO Van Horn advised she notified Child Protective Services, and was advised by Wanda (ID 154) that an investigator would be en route.

Two of the Shirey's three adopted (initially fostered) children were present on the field trip; [REDACTED], and [REDACTED]. [REDACTED] was currently at the residence with their mother's [REDACTED] who lives with the Shireys.

As she waited for CPS to arrive, Ofc. Mims sat with [REDACTED] mother, identified via DAVID as Denah Shirey. Ofc. Mims said she informed Ms. Shirey of the incident at the Orlando Science Center, and asked if she was aware of the bruising on [REDACTED]'s body. Mrs. Shirey initially advised she did not observe any bruising on [REDACTED]'s body. Ofc. Mims asked Mrs. Shirey who bathed [REDACTED] and was told by Mrs. Shirey that she was responsible for bathing [REDACTED]. Mrs. Shirey subsequently admitted she noticed the bruising and advised it occurred approximately two days ago. Ofc. Mims told Ms. Shirey the bruising covered a large portion of [REDACTED]'s backside,

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Page 1 of 3

K

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and the bruises were in various stages of healing. Mrs. Shirley admitted that she and [REDACTED] Keith Shirey, discipline their children with a large plastic spoon. She stated [REDACTED] has been stealing, and lying lately. Mrs. Shirey said Mr. Shirey has been disciplining [REDACTED] by spanking. When Mr. Shirey does this, [REDACTED] "fight's" him, and she believed that was how [REDACTED] obtained the numerous bruises. Mrs. Shirey also informed Ofc. Mims that [REDACTED] has been diagnosed as anemic, but could not recall which doctor diagnosed him, or where the office is located.

Mrs. Shirley proceeded to speak, without being questioned any further. She stated she and her husband never intended to hurt [REDACTED]. She said they both "feel terrible," and agreed to never do it again.

Keith Shirey arrived shortly before CPS Investigator Pam Williams. CPS Inv. Williams interviewed each of the family members alone. Ofc. Mims attended the interview with both children, [REDACTED] and [REDACTED]. Ofc. Mims observed severe bruising covering [REDACTED] lower back, buttocks, and down the back and sides of his thighs. All bruises were discolored, and in various stages of healing.

CPS Inv. Williams concluded her interviews, and believed it necessary to remove all of the children from the home.

This Detective responded to Kids House of Seminole, Inc., and met with Gerard Lacey, Child Protection Team Case Coordinator, who advised he would be conducting the interview with six year-old, [REDACTED]. This Detective observed the interview in a different room via monitor. Gerald Lacey qualified [REDACTED] regarding his ability to tell the difference between the truth and a lie. [REDACTED] agreed to only tell the truth during the interview. During the interview, [REDACTED] said the bruises on his butt were a result of his Daddy spanking him with a spoon. [REDACTED] said if he does not "submit" the spanking lasts longer and would be worse. [REDACTED] explained the meaning of "submit or submitting" as not fighting, kicking, or hitting while he is being spanked. [REDACTED] said his Daddy spanked him because he stole candy from his sister. [REDACTED] said his mother did not spank him but sent him to his room for punishment.

Following the interview, [REDACTED] was examined by Jan Carlson, ARNP, CPNP, with Kids House. Jan Carlson completed a Preliminary Report which indicated she observed multiple diffuse purple-red bruises on both of [REDACTED] upper legs and multiple purple-red bruises on both sides of [REDACTED]'s buttocks. Jan Carlson also noted bruising on [REDACTED]'s back and arms. Jan Carlson said there were indications of multiple beatings in different stages of healing. She also advised the injuries on [REDACTED], in her professional opinion, were the result of severe physical abuse. According to Jan Carlson, the injuries were severe enough that they could be life threatening. She said the amount of force used to cause the injuries she observed on [REDACTED] could possibly lead to excessive bleeding into the muscles and tissues, which could lead to shock or kidney failure.

Jan Carlson said during the medical examination, [REDACTED] informed her that the bruises on his upper legs and buttocks were from his Dad spanking him with a white spoon called the "spanking spoon", because he was stealing candy from his sister.

Gerard Lacey provided a DVD with the copy of the interview which was submitted to CPD Property/Evidence. He also provided a CD with the photographs of [REDACTED]'s injuries. In viewing the photographs of the injuries to [REDACTED], there are visible circular areas which indicate an instrument was used to cause the injuries.

On 04/28/2014 CPS Inv. Pam Williams provided a copy of the interviews she conducted the night of 04/25/2014:

During the interview with Denah Shirey (adoptive Mother of [REDACTED]), she said [REDACTED] has behavior issues, and as a result he receives spankings. She said [REDACTED] is spanked with a plastic spoon, most often by the Father, Keith Shirey. Denah Shirey said she has occasionally/rarely spanked [REDACTED] with the spoon; it is usually Keith Shirey who did the spanking.

Denah Shirey said [REDACTED] had a Thalassemia Trait which caused him to bruise easily. She said [REDACTED] has received a few spankings in the last couple of weeks. Denah Shirey said the recent spanking by Keith Shirey was "obviously too hard". She said there may have been others that have been too hard. She said it was hard to find the balance because of [REDACTED]'s Thalassemia.

When Pam Williams interviewed Keith Shirey (adoptive Father of [REDACTED]), he stated it was standard for him to spank [REDACTED] with a plastic spoon as a consequence for stealing or lying. He said it was common to spank [REDACTED] 10-12 times on the bottom per occasion. Keith Shirey said he spanked [REDACTED] on Monday or Tuesday (April 21 or 22) for stealing. He said a couple days later he noticed the bruising caused by the previous spanking he gave [REDACTED] so he gave him a "gentler spanking" as punishment for being sent to the office at school. Keith Shirey said he has spanked [REDACTED] before the two incidents that week. He said [REDACTED] was wearing either shorts or long pants when he received the spankings.

During the interviews with Denah and Keith Shirey, they both mentioned that [REDACTED] had a Thalassemia Trait which they stated caused [REDACTED] to bruise easily. This Detective made contact with Jan Carlson, ARNP, CPNP, at Kids House and inquired about Thalassemia. Jan Carlson said the condition does not increase bruising and had no bearing on the bruising she saw on [REDACTED]'s body.

Pam Williams also interviewed [REDACTED] who has lived in the home with Denah, Keith, and the [REDACTED] children. [REDACTED] said [REDACTED] gets spanked pretty often and even more often lately. He said the last occasion when Keith spanked [REDACTED] caused most of the bruises on [REDACTED]'s body, although there are bruises from more than one incident. [REDACTED] said he doesn't usually see the spankings, but can hear what's going on, and sees the resulting injuries. He said when he hears the spankings being carried out, it makes him sick. [REDACTED] described the injuries as dark gray, purple, and red bruises.

[REDACTED] said when [REDACTED] receives spankings from Keith, they usually last fifteen minutes (on and off) because Keith is really mad at

201420000852

Printed On: 04/30/2014 15:24

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Page 2 of 3

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█████ said, when the spankings are over, Keith comes out of the room soaked with sweat and out of breath; like he just ran a marathon.

█████ said █████ screams very loudly during the spankings, not in a rebellious way but like he is freaking out. He has heard █████ yell "help" and "that hurts" during the spankings. █████ said at times it sounds like Keith puts his hand over █████'s mouth because the screams become muffled.

█████ said, about two or three months ago, he told Keith he thought Keith spanked the kids too hard. █████ said Keith and Denah threatened to send him out of the home if he told anyone.

█████ said █████ and █████ have received spankings a couple times in five or six months. In his opinion, he thought the spankings (to █████) were too hard for a two year old and the ones to █████ were "pretty bad". █████ said Keith was the one who spanked the kids most of the time but █████ completely agrees with what Keith is doing. When asked where █████ was during the last spanking, █████ said she was probably in her room on the computer.

█████ and █████ were also interviewed. █████ said the children receive spankings for lying and stealing. She said they all get spanked when they disobey. █████ said, if you lie, you get a spanking with a grey spanking thing.

On 04/30/2014 I contacted Denah Shirey by telephone and asked her if she would meet with me to talk more about the situation with █████. She advised she wanted to talk with an Attorney. After speaking with Denah Shirey, I made contact with Keith Shirey at 164 South Winter Park Drive and arrested him for Aggravated Child Abuse. The handcuffs were double-locked and checked for fit. No property was taken from Keith Shirey. He was transported to the Seminole County Jail and turned over to personnel.

Statements made by defendant prior to, during, and after arrest as related to each charge:

See narrative.

ADMINISTRATIVE SECTION

Miranda Warning <input type="checkbox"/>	HOLD FOR OTHER AGENCY Name:	Verified By:	Date	Bond: Charge #	Bond: Charge #
<input type="checkbox"/> ADULTS ONLY! Hold for First Appearance DO NOT BOND	Reason:	Sworn to and subscribed before me, the undersigned authority, this <u>30th</u> day of <u>April</u> in the year <u>2014</u> .	Bond Type: 1. R.O.R. 2. Cash	3. Surety 4. Bail/ Bond	5. Cert. 6. Other Type: Type:
I swear/affirm the above and reversed and attached statements are true and correct. Officer's/Complainant's Signature <u>Cpl. G. Chapman</u>		Name/Title of Person Authorized to Administer Oath: <u>[Signature]</u> LEO 301	Returnable Court Date:	Returnable Court Date:	
Chapman, Jennifer C04402 502 Name(Printed) and Employee#			Release Date:	Release Time:	
			Releasing Officer:		

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CLERK SEMINOLE COUNTY

JUVENILE